



## RFP 7600000849– Request for Information

**Date: July 18, 2022**

“Priority A” RFI indicates a critical or go/no-go issue of significant concern that may preclude the Proposer from submitting a Proposal. A “Priority B” RFI indicates a risk-sharing issue that affects value for money; and a “Priority C” RFI indicates a minor or drafting issue. The RFIs must also be separated into different tables for Technical, Financial and Legal questions.

RFI #	RFP Document	Section Reference	Priority (A, B, or C)	Question/Request for Clarification	Answer
001	849	Section 2.9 Page 12	C	<p>The 4 vendors named on Page 12; I understand that the materials must be purchased from them but is one of those 4 required to be the batch plant operator as well?</p> <p>No. 20 on Page 68 seems to point that one of the four must be the batch plant operator</p>	Yes, one or more of the approved Local concrete batch plant operators/suppliers listed in Section 2.9 of the RFP is required to supply and deliver all concrete associated with the batch plants.
002	849	Section 3.4 Page 17	C	If we want a CDM, do we send you an email requesting a CDM or are you going to send out requests if you want one or have the calendar blocked out for them?	See Addendum #1.
003	849	Attachment Form B Page 187	C	Key Personnel? The RFP states that Key Personnel should be outlined using FORM B KEY PERSONNEL RESUMES, INFORMATION AND EXPERIENCE on page 187 of the RFP document.	Response updated July 14, 2022 - Key personnel includes but is not limited to the lead personnel for each element of the proposed LS Services and all associated lead compliance and management personnel as designated in a Proposer’s submission.

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				Will PANYNJ clarify positions and quantify requirements for each requirement?	
004	849	Form A Page 184	C	Projects? The RFP outlines submission of Form A (page 184) and that the Respondent provide information requested in a format like that shown. This form may be duplicated for additional Reference Airports. Are relevant materials, plant build, marine terminal, and facilities experience acceptable?	Yes, all relevant materials facilities, marine terminals, or similar plants -related to experience are acceptable.
005	849	Section 2.9 Page 12	C	Are the four shortlisted concrete operators/batch operators allowed to respond to the RFP as a Prime, or are these firms conflicted out for the RFP submission as Respondent?	The concrete operators/batch operators are not precluded from providing a response to the RFP.
006	849	Section 2.9 Page 12	C	May the respondent interview each of the four concrete supplier/batch operator shortlisted firms and request an NDA to maintain the confidentiality of each Respondent Teams proposal?	Respondents' business practices are not specified by the Authority. Requests should be made directly to the operators/batch operators.
007	849		C	Does the PANYNJ intend to have the Basis of Qualification Questionnaire (BQQ) for the relevant participants updated?	Yes, each Respondent is required to submit a BQQ. See Addendum #1.
008	849	Attachment I Page 73	C	Does PANYNJ expect to receive a copy of a sample Certificate of Insurance with the required coverages?	Yes, please provide with Proposal Submission.
009	849	Attachment C Page 50	C	Is PANYNJ requiring a Surety Letter or a Bid Bond?	No.

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010	849		C	Will PANYNJ facilitate requests for a site tour?	PANYNJ will facilitate requests through the Procurement Contract Manager listed in Section 3.1 of the RFP entitled Port Authority Representative.  Please note, dates and times of site tours may be limited and dependent upon coordination with Airport Operations and other Airport activities.
011	849	Attachment H Page 69	C	Can PANYNJ clarify inspection requirements found on page 69, term item 24. Does the Vendor/Respondent provide an independent Construction Inspection firm, independent materials testing for the construction phase of the project? Can PANYNJ please clarify the requirements?	Please refer to the PANYNJ Tenant Construction and Alteration Process Manual using the following link:  <a href="https://www.panynj.gov/port-authority/en/business-opportunities/tenant-construction-and-alteration-process.html">https://www.panynj.gov/port-authority/en/business-opportunities/tenant-construction-and-alteration-process.html</a>
012	849		C	Will PANYNJ provide inspection, safety, quality, and other details and specifications pertinent to the scope and location of the project (e.g., basin hydro-depths/bathometric survey, navigation, and access for barging, NEPA (environmental inspections and assessments, etc.)	PANYNJ will review what existing information is available and will provide as an Available Document in accordance with Section 2 (Key Terms).
013	849	Section 9.1 Page 124	C	<b>PANYNJ NDAs Security requirements.</b> Shall the Respondent and its representative team, including, designers/subs and key personnel be required to take the Information Security Handbook Training Course, sign a specific NDA for PANJNY and submit with the certificate in compliance with SSI Best Practices, together with a confidential-privileged inventory and org chart for the RFP submission? Shall the NDAs and Certificates be included with our proposal submission or submitted to PANYNJ? Please clarify.	If Protected Information is issued, the Respondent is required to adhere to the requirements of the Information Security Handbook.  Please refer to the Information Security Handbook for further details using the link below:  <a href="https://www.panynj.gov/port-authority/en/business-opportunities/information-security-handbook-requirements.html">https://www.panynj.gov/port-authority/en/business-opportunities/information-security-handbook-requirements.html</a>
014	849	Section 3.1 Page 16	C	The procurement schedule indicates time for CDMs, response time (pg. 16) and draft agreement to be	This is currently under consideration by PANYNJ.

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				issued July 13 and then due on July 20? Does the PANYNJ anticipate extending the due date?	
015	849			Does PANYNJ consider, for example, equipment needed for “ASAP” temporary LSS operations prior to construction of permanent facilities, as well as payloaders (to support the concrete plant), barges, etc. to be part of the related capital equipment which will become part of the property which shall be transferred ownership at the end of the lease?	Temporary equipment will not be considered as part of the related capital equipment. Further clarification will be provided via addendum.
016	849	Section 3.4 Page 17	C	When will the Addendum regarding the process for requesting a CDM be issued? Will this be a venue where confidential questions, means, and methods can be discussed?	Yes, See Addendum #1. CDM discussions will be confidential, collaborative, and non-binding.
017	849		C	Will PANYNJ provide details as to existing utilities, specifications and/or drawings?	PANYNJ will review what existing information is available and will provide as an Available Document in accordance with Section 2 (Key Terms).
018	849		C	Are there any firms that are precluded from proposing on this RFP?	The RFP document does not include specific preclusions. See Section 6.6 entitled “Conflict of Interest” for additional information.
019	849	Addendum #2	B	Can you please confirm that the draft agreement that we should be providing comments on is the Construction Coordination Agreement which was released yesterday (June 30, 2022) with Addendum #2? Can you please provide a hard date in which these comments are to be received?	No, the draft Construction Coordination Agreement (“CCA”) provided via Addendum #2 is an agreement that specifies the obligations of the new Terminal Developers and other development parties (including other Port Authority contractors), as indicated in Section 1.2A of the RFP entitled Services Expectations.

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					<p>It is NOT the Agreement for LS Services.</p> <p>The draft CCA has been provided as information related to how LS Services are expected to coordinate with other Port Authority JFK development parties.</p>
020	849	Page 5. Section 1.1	B	Which assets will become the property of the Port Authority following the completion or acquisition?	Pending
021	849	Page 7. Section 1.3	B	Port Authority wants to provide, to the extent practicable, for a fair and reasonable price for LS Services which approximates a market price for similar services in the local area. What elements of the LS Services are being compared?	All elements of pricing shall be compared to market pricing to ensure reasonableness.
022	849	Page 7. Section 1.3	B	The Vendor will be expected to store on site the following materials: sand, standard aggregate, lightweight aggregate, specialty aggregate, Portland cement. Will the vendor be expected to procure the materials? If so, who is providing the volumes or tonnage required and the associated project schedules?	Yes, the LS Services vendor is required to purchase all materials required to complete the scope of work. The LS Services vendor is required to coordinate quantity and schedule with the individual end users (purchasers) of the services.
023	849	Attachment K	B	The Volume of Services Estimate (Attachment K) is incomplete and has numerous TBD references for important materials quantities. Will a complete Volume of Services Estimate be provided?	Supplemental information to Attachment K is not available.
024	849	Attachment K and Form D	B	<p>Please confirm the following assumptions regarding the content of Attachment K. If the assumptions are incorrect, please provide a descriptive explanation:</p> <p>a. Column 2 "Concrete" is concrete that will be required to be manufactured at the LLS</p>	<p>a. confirmed</p> <p>b. The term "Removed Concrete" is concrete that is crushed. Quantity of Removed Concrete is not guaranteed as end users (purchasers) determine their own means and methods. The LS Services vendor is required to coordinate this effort.</p>

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				<p>b. Column 4 "Removed Concrete" is concrete that will be required to be crushed and returned for recycling on the airfield</p> <p>c. Column 5 "Excavated Soil" is petroleum contaminated soil that will be required to be exported from the site using the LSS Marine Facility</p> <p>d. Form D Pricing Sheet cites Asphalt for export by barge (Service Type 2). The Volume of Services Estimate does not include an estimate for the quantity of Asphalt. Will this be provided?</p> <p>e. Form D Pricing Sheet cites General Construction and Demolition Debris for export by barge (Service Type 4). The Volume of Services Estimate does not include an estimate for the quantity of General Construction and Demolition Debris. Will this be provided?</p> <p>Form D Pricing Sheet cites Miscellaneous Construction Materials for import by barge (Service Type 9). The Volume of Services Estimate does not include an estimate for the quantity of Miscellaneous Construction Materials. Will this be provided?</p>	<p>c. All excess Excavated Soil is required to be exported from the site using the LSS barge facility.</p> <p>d. Not available.</p> <p>e. Not available.</p> <p>f. Not available.</p>
025	849	Form D Pricing Sheet	B	Service Type 1 in Form D Pricing Sheet cites concrete crushing into specified aggregate. What are the specifications that will be required?	End users (purchasers) determine their own means and methods, as well as specification requirements.
026	849	Form D Pricing Sheet	B	Service Type 17 in Form D Pricing Sheet cites annual variance of transportation costs. The RFP narrative seems to assume that barge transport will be less than trucking costs resulting in a surplus that will form	Operations Fee to be provided prior to Proposal Due Date.

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				the basis for the annual fee. If barge export costs are higher than trucking costs will the annual fee be waived?	
027	849			Please confirm that the concrete recycling plant remains the property of the Vendor/Proposer after the 5-year lease period.	Pending
028	849			Please clarify that the barging facility and overall goals for this project have been simplified and will be for short-term construction support rather than the long-term goals for the JFK-LSS REOI and RFP documents in support of the current JFK Redevelopment Program.	Propose as per requirements RFP.
029	849			Please provide the submitted RFQ qualifications of the 4 shortlisted supplier/operators.	Proposers shall contact the individual Suppliers/Operators to determine qualifications.
030	849			Will the proposal due date be extended?	Under consideration.
031	849			Please provide utility drawings, PANYNJ access protocols, maps, and related utility documentation.	To be provided via Addendum.
032	849			Please confirm that only the concrete operations are restricted to the suppliers identified in the RFP documents.	Confirmed.
033	849			Please provide the Lease fee amount.	Operations Fee to be provided prior to Proposal Due Date.

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034	849			Please provide the stipulations of the NEPA permit, please provide complete NEPA Approval document(s) and any EIS reports.	See links –  <a href="https://www.panynj.gov/port-authority/en/about/studies-and-reports/case-studies-reports.html">https://www.panynj.gov/port-authority/en/about/studies-and-reports/case-studies-reports.html</a>  <a href="https://www.panynj.gov/port-authority/en/about/studies-and-reports/case-studies-reports.html">https://www.panynj.gov/port-authority/en/about/studies-and-reports/case-studies-reports.html</a>
035	849			Please provide any hydrographic surveys of the basin.	Current hydrographic survey is not available. Proposers may coordinate through the Contract Specialist for access to perform their own survey.
036	849			Please provide documents pertinent to the proposed barging facility investigation performed by PANYNJ.	Port Authority has not prepared documents associated with the proposed barging facility.
037	849			Is a full-time safety boat required for the Marine Terminal?	Compliance with OSHA is required, Proposers shall propose means and methods.
038	849			Please provide training requirements for personnel working on PANYNJ/FAA property in addition to SWAC, as outlined in the RFP. (e.g., Information Security/Confidentiality.)	Please refer to the Information Security Handbook for further details using the link below:  <a href="https://www.panynj.gov/port-authority/en/business-opportunities/information-security-handbook-requirements.html">https://www.panynj.gov/port-authority/en/business-opportunities/information-security-handbook-requirements.html</a>
039	849			Please confirm that the four (4) shortlisted concrete suppliers are required to provide competitive pricing to all proposers.	Proposers shall contact the individual Suppliers/Operators for information.



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<b>040</b>	849			Please provide clarification as to the requirements for construction inspection, design manager/designer of record, safety, quality control role(s), key personnel	Key personnel includes but is not limited to the lead personnel for each element of the proposed LS Services and all associated lead compliance and management personnel as designated in a Proposer's submission.
<b>041</b>	849			Please provide information regarding the DEC Permit process and whether PANYNJ has already entered into agreements with third-party stakeholders to expedite permitting.	Proposers are responsible to obtain and meet requirements of all permits, unless specifically stated otherwise.
<b>042</b>	849			Please confirm that based upon logistics and transport of materials within PANYNJ property that this project is exempt from obtaining a 360 Permit.	Proposers are responsible to obtain and meet requirements of all permits, unless specifically stated otherwise.
<b>043</b>	849			Please provide all documentation for FAA height restrictions, noise, work time, dust, and vibration monitoring requirements.	All on-site equipment must remain below 150' above ground level (AGL). Noise, dust, and vibration to mitigated based on the information included with the RPW documentation.
<b>044</b>	849			Please provide any documentation of known contamination and that the chosen vendor will inherit site as is with cooling tower and buildings taken down to grade. Please also confirm undisturbed contaminants remain on-site.	See Section 11.3 entitled Environmental Management Plan.
<b>045</b>	849			Please provide concrete mix designs and recycled materials specifications and materials intended for commercial transport.	Proposers shall contact end users (purchasers) directly for information regarding material specification requirements. Developer list to be provided via Addendum.
<b>046</b>	849			Please provide criteria for the concrete plant	See Section 1.3 of the RFP entitled Strategic Goals for Logistics Support Services.

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047	849	Page 6. Section 1.2 Background. Section 2.4 Operation Fee		Reference is made to “transportation cost savings of Vendor for co-location of the LSS Facility at JFK”. During a competitive bid process, the understanding we have is that the Vendor would reflect these savings in the bid price per ton proposed for services to the Port Authority and Developers. Hence there would be no additional savings to provide as a fee to the Port Authority. Please advise if the RFP is referring to some other process or additional charge to Developers that would become a fee to the Port Authority?	Information gathered during the CDMs regarding “transportation cost savings” is intended to be considered as a component of the Operations Fee.
048	849	Page 6. Section 1.2A.		<p>Attachment K appeared to be significantly incomplete with respect to material quantity estimates. Will an addendum to the RFP be issued with updated rough order of magnitude material estimates? Note: No estimate / information was provided for C&amp;D generation.</p> <p>While attachment provides an overall estimate of concrete requirements, no detailed estimate is provided for the various categories of concrete listed on Form D Pricing Sheet. Please advise on ROM for quantities by each category of concrete listed on the pricing sheet and please advise regarding the production capacity requirements per day for the batch plant to be built (eg. 1000 yards per day?). Will the Port Authority provide an addendum with this information?</p>	Supplemental information to Attachment K is not available.
049	849	Section 2.7		What is the lease price per acre of land and for the entire area to be leased to the LSS provider?	Operations Fee to be determined by the PANYNJ and to provided prior to Proposal Due Date.
050	849	Section 3.2		We understand based upon prior answers that the “Draft Agreement” referred to in the table, is not the same as the “Construction Coordination Agreement”. When will the draft agreement be issued for comment and blacklining?	To be provided via Addendum.

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051	849	Form D Pricing Sheet		<p>For material import is the price per ton-cy on import line items on Form D Pricing Sheet for:</p> <ul style="list-style-type: none"> <li>• Unloading only?</li> <li>• Transport by barge and unloading?</li> <li>• Cost of the material, transport to JFK Airport by barge, and unloading?</li> </ul> <p>As an example: for sand is the Port Authority requesting just the price to unload the sand (the unloading cost) be priced, or should the price include the barge transport component as well, or is the price requested for the cost of the sand itself as well as barging and unloading? Please advise specifically and individually for each line item (6, 7 ,8, &amp; 9).</p>	Items 6,7,8,9 on Form D shall include the cost of material, transport to JFK Airport by barge and unloading at the barge facility.
052	849	Form D Pricing Sheet		Is the price per ton-cy for transportation of export by barge just the price to transport or does it include the disposal cost as well?	Price shall include the total cost for transport and disposal.
053	849	Form D Pricing Sheet. Line Item 5		What type of recyclable material is being exported? Stone? Asphalt? Glass? Plastic? Recycle pricing varies according to type of material.	Item 5 shall include steel and excess crushed concrete.
054	849			Does the Federal Longshoreman's act apply to this project, and specifically does it apply to the workers compensation?	Does not apply.
055	849			Can we request a material and performance bond from the prequalified concrete suppliers?	Proposers shall contact the individual Suppliers/Operators directly to discuss business terms.
056	849			Does all the equipment provided for the project have to be new?	See Attachment H, No. 14 – Topic: Condition of Project Machinery.
057	849			Do you have any quantities of the asphalt that must be removed from the site?	Not available.

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058	849			Do you have any quantities for C&D that must be removed for the site, and if so, can you be specific type of C&D will be removed? Quantities?	Not available.
059	849			Will the TBD on sheet K be determined before the submittal date?	Supplemental information to Attachment K is not available.
060	849			Do you have the size, weights and quantities for item 9 on Form D pricing sheet?	Not available.
061	849			Is there a break down on the yearly quantities that need to be imported and exported from the facility?	Not available.
062	849			Will the PA give monthly production requirements for all the products on Form D pricing sheet?	No, Proposers shall contact end users (purchasers) directly for information. Developer list to be provided via Addendum.
063	849			What happens if the operational cost is great then the savings in transportation cost? Will the RFP be canceled? Will the terminal owner have the right to procure items outside the logistic support service?	Propose as specified in the RFP.  See Addendum #2 regarding LS Services.
064	849			Will the award for the RFP occur, before all the terminal owners agree to the pricing provided in the RFP?	Upon award of the RFP, Terminal owner ("end users", "purchasers") shall be required to pay the Unit Prices as agreed to by the LS Services vendor and PANYNJ.
065	849			Can the LSS cancel its contract with the Port Authority, if they cannot come to terms with the Terminal owners and contractors who agreed to use the LSS service?	Upon award of the RFP, Terminal owner ("end users", "purchasers") shall be required to pay the Unit Prices as agreed to by the LS Services vendor and PANYNJ.
066	849			Who purchases stone and sand etc. , it is unclear?	The LS Services vendor.
067	849			Can we get an extension of time?	Under consideration.
068	849			Will the PA allow yearly adjustments for material and fuel increase?	Yearly adjustments, if requested, shall be submitted as part of your Financial Approach as specified in Section 4.3 – Technical Proposal.
069	849			Are we allowed to add items to pricing sheet?	Yes, however all additions to Form D are for consideration only.

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070	849			Is the facility expected to run outside of normal business hours? 7am – 3:30pm? If so, how do we get compensated?	See Attachment H, No. 22 – Topic: Availability of LSS Facility.
071	849			Could you please let me know what the height restriction are for this project? We want to know how high we can stockpile materials.	All on-site material and equipment must remain below 150’ above ground level (AGL).
072	849	Commercial / Legal Section 3.2		Can you please provide an anticipated date for the release of the Draft Agreement?	To be provided via Addendum.
073	849			We are respectfully requesting a two week extension.	Under consideration.

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